



STATE OF INDIANA

ERIC J. HOLCOMB, Governor

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OPINION OF THE PUBLIC ACCESS COUNSELOR

TERRY L. YOUNG,

Complainant

v.

**PULASKI COUNTY BOARD OF
COMMISSIONERS**

Respondent

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17-FC-50

ADVISORY OPINION

April 7, 2017

This advisory opinion is in response to a formal complaint alleging the Pulaski County Board of Commissioners ("Board") violated the Open Door Law ("ODL"), Indiana Code § 5-14-1.5-1 et. seq. The Board has not responded despite an invitation to do so on March 7, 2015. Pursuant to Indiana Code § 5-14-5-10, I issue the following opinion to the formal complaint received by the Office of the Public Access Counselor on February 28, 2017.

BACKGROUND

The formal complaint dated February 22, 2017, alleges the Pulaski County Board of Commissioners violated the Open Door Law by failing to post notice of meetings and executive sessions.

The Complainant states the Board violated notice requirements on at least five (5) separate occasions. He also alleges the Commissioners often discuss items before and after the meetings are adjourned or commenced. The Complainant has offered little by way of evidence or narrative to substantiate his complaint, however, the Board has failed to respond to this Office.



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ANALYSIS

It is the intent of the Open Door Law ("ODL") that official action of public agencies be conducted and taken openly, unless otherwise expressly provided by statute, in order that the people may be fully informed. *See Indiana Code § 5-14-1.5-1.*

Pursuant to Indiana Code § 5-14-1.5-5, public notice of the date, time, and place of any meetings or executive sessions shall be given at least forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) before the meeting. Based on the information provided, it appears as if the Board may have a casual interpretation of the Open Door Law when it comes to meetings. Without the benefit of more information from the Complainant or a response from the Board, it is difficult to ascertain how systemic of a problem this is, but my recommendation is for the Board to re-familiarize itself with Open Door Law requirements.

CONCLUSION

Based on the foregoing, it is the Opinion of the Public Access Counselor the Pulaski County Board of Commissioners have violated the Open Door Law.

A handwritten signature in black ink, appearing to read "LHB", written over a horizontal line.

Luke H. Britt
Public Access Counselor